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C O N F I D E N T I A L SECTION 01 OF 02 MANAGUA 000916

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E.O. 12958: DECL: 08/20/2019

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SUBJECT: NICARAGUA: FREEDOM OF THE PRESS UNDER ATTACK AGAIN...

REF: A. MANAGUA 794
[B.](#) MANAGUA 626

Classified By: Ambassador Robert J. Callahan for reasons 1.4 (b & d)

[¶1.](#) (C) SUMMARY: Freedom of the press in Nicaragua remains under attack by President Daniel Ortega's ruling Sandinista National Liberation Front (FSLN). The party has sought to amend journalism laws in an effort to discourage, if not outright censor, media reports critical of Ortega and the party. In addition to the proposed amendments to law, the FSLN continues to withhold critical financial support to unsympathetic media outlets while running a systematic campaign of sometimes-physical assaults against these same outlets. END SUMMARY

Proposed Changes to Journalism Laws - Censorship?

[¶2.](#) (SBU) The FSLN, which de facto controls the National Assembly, has proposed changing Law 372 (titled the Law of the Journalist's Association), which currently establishes and regulates the National Journalist's College of Nicaragua (CPN). The association has been historically controlled by FSLN-leaning journalists. Under the current law, participation and membership in this association of journalists is completely voluntary. If the amendments to Law 372 pass, all journalists in Nicaragua would be forced to become members of the CPN. This would be problematic for independent journalists because the CPN has an ethics code based on FSLN principles and that is enforced by an Ethics Code Committee which can punish or expel a journalist from the association without appeal. Once a journalist is expelled from the CPN, he or she would no longer be able to practice journalism, effectively censoring any journalist critical of the FSLN.

Union Cooperation

[¶3.](#) (SBU) The Union of Nicaraguan Journalists (UPN), which is the largest journalism union in the country, gathered in the National Assembly on September 8 to celebrate the International Day of the Journalist. At this special session of the National Assembly, the president of UPN, Roberto Larios, declared that "a journalist is essentially a politician who should be on the majority's side in agreement with the popular struggle." He went on to elaborate that he did not believe that the role of a journalist was to be impartial in any political battle. Larios also announced in the National Assembly that the UPN would be pre-empting the proposed amendments to Law 372 by joining the CPN. (NOTE: Larios was installed as leader of the UPN earlier this year via an election plagued by irregularities. END NOTE)

Charges Presented to the UN in Report

[¶4.](#) (SBU) On September 10 in Guatemala, Dr. Vilma Nunez of the Nicaraguan Center for Human Rights (CENIDH) presented a report to the United Nations describing deteriorating press freedoms in Nicaragua. Nunez said in a speech accompanying the release of the report that if law 372 was "accepted as compulsory, union members would be in the hands of a body which may or may not allow the practice of journalism in Nicaragua." The CENIDH report also stated that if Law 372 was changed in the manner that the FSLN wants, that it would put Nicaragua in direct violation of its obligations as signatory to three international agreements that guarantee political and human rights: The Declaration of Chapultepec, Article 13 of the American Convention on Human Rights and the International Covenant on Civil and Political Rights.

[¶5.](#) (SBU) The charges leveled by the CENIDH report include that the government had unfairly supported friendly media outlets with financial inc

Ortega's Response

[¶7.](#) (SBU) On September 10, President Ortega gave a speech in front of the Sandinista National Party in which he railed against the media, claiming that it is "in service of the empire," referring to the United States. First Lady Rosario Murillo, who also holds the unofficial post of Coordinator of Communication and Citizenship, was more blunt in her criticism of the media. She referred to the media as "tools and weapons of the enemy" that must be dealt with by "remov(ing) all power that it has."

COMMENT

¶8. (C) Nicaragua's independent media are one of the few remaining bulwarks against Ortega's increasingly authoritarian rule. The recent attacks against independent journalists during the August 8 march, and the FSLN-inspired amendments to Law 372 that would require all journalists to join the CPN to practice journalism, are only the latest rounds in the ongoing struggle to dismantle free speech in Nicaragua. In this round, the bellicose rhetoric from Ortega is being matched by institutional threats to the profession and direct physical violence against journalists by FSLN street gangs.

CALLAHAN